

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED  
SCRANTON

JASON E. BENSON

:

CIVIL ACTION

V.

:

NO. 1:CV-00-1229

PER

DEPUTY CLERK

WILLIAM G. ELLIEN, M.D., et al.

:

(Judge Caldwell)

(Magistrate Judge Blewitt)

ANSWER OF WILLIAM G. ELLIEN, M.D. TO THE MOTION FOR AN ORDER  
COMPELLING DISCLOSURE FOR DISCOVERY AND FOR EXPENSES AND SANCTIONS

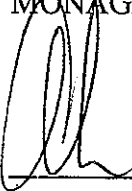
William G. Ellien, M.D. ("Ellien") responds to the motion as follows:

1. An examination of Ellien's counsel's file shows that he never received a copy of the motion for an order compelling disclosure or discovery and for expenses and sanctions.
2. Ellien has responded to all discovery served upon him through his counsel or filed appropriate objections.
3. Benson has in the past complained about Ellien not supplying him with his medical records. Ellien has no ability to do that. He does not control the medical records of Benson only the Commonwealth of Pennsylvania can produce those records.
4. Ellien requests that Benson serve him with the motion for an order compelling disclosure or discovery and for expenses and sanctions and that he be given five days from receipt to respond.

WHEREFORE, William G. Ellien, M.D. respectfully requests that Benson serve another copy of the motion for an order compelling disclosure or discovery and for expenses and sanctions upon his counsel.

MONAGHAN & GOLD, P.C.

BY:

A handwritten signature in black ink, appearing to be 'AG', written over a horizontal line.

ALAN S. GOLD  
Attorney for defendant,  
William G. Ellien, M.D.